

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

Blue Spike, LLC

*Plaintiff(s)*

v.

NEC Corporation of America and NEC Corporation

*Defendant(s)*

)  
)  
)  
6:12CV499 LEAD  
)  
CONSOLIDATED WITH  
)  
Civil Action No. 6:12-CV-690  
)  
)  
)  
)  
)

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*) NEC Corporation  
7-1, Shiba 5-chome, Minato-ku  
Tokyo 108-8001, Japan

c/o Texas Secretary of State  
1019 Brazos St  
Austin, TX 78701

RECEIVED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

OCT 22 2012

DAVID J. MALAND, CLERK

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Eric M. Albritton  
ALBRITTON LAW FIRM  
P.O. Box 2649  
Longview, Texas 75606

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 9/27/12

CLERK OF COURT

  
*David J. Maland*

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 6:12-CV-690

## PROOF OF SERVICE

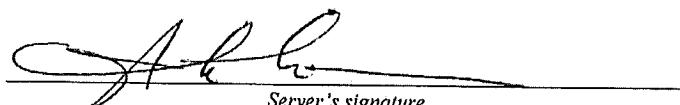
(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) NEC Corporation  
 was received by me on (date) 10-2-12

- I personally served the summons on the individual at (place) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 , a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on (name of individual) Verita D'Kryeg b/w, who is  
 designated by law to accept service of process on behalf of (name of organization)  
Secretary of State Texas  
 on (date) 10/3/12; or
- I returned the summons unexecuted because \_\_\_\_\_; or
- Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ per invoice  
0.00.

I declare under penalty of perjury that this information is true.

Date: 10-3-12
  
 Server's signature  
Travis Klemm Ambered Person  
 Printed name and title

1504 San Antonio Street, Ste. 200, Austin TX 78701  
 Server's address

Additional information regarding attempted service, etc: